

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - May 13, 1970

Appeal No. 10390 Stuart Long, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of June 29, 1970.

EFFECTIVE DATE OF ORDER - February 2, 1971

ORDERED:

That the appeal for variance from the open court requirements of the R-4 District and from provisions of Section 7205 to permit parking less than 10 feet from building and three feet from side lot line at 517 and 519 6th Street, S.E., lots 819 and 820, Square 846 be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The subject property is an unimproved lot.
3. Appellant proposes to construct a modularly designed unit consisting of two (2) flats of two (2) stories.
4. Appellant alleged that each structure will contain three (3) bedrooms and a study. The structures are produced for shipment on the highway with a length of 36 feet.
5. The structures when placed on the lot will take up 72 feet of the lot thereby forcing appellant to come within a foot of the structure for parking.
6. The two (2) units will be joined with a porch and each unit will have an entrance onto that porch. The porch will protrude partially two feet from the open court on the left side of the second structure, thereby giving appellant an eight (8) foot court.

7. Appellant alleged that the only alternative to the porch entrance is to produce a common entrance in the two (2) structures that comes through the study wall of the first structure and into the kitchen of the second.

8. Appellant alleges that due to the size of the lots and the size of the proposed structure, a variance is required from the open court requirements of the R-4 District and to permit parking less than 10 feet from building and three feet from side lot line.

9. Opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

CONDITION:


(1) Appellant shall comply with the plans as submitted and approved by Mr. Arthur B. Hatton, June 24, 1970 (See BZA Exhibit No. 13).

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX
MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY
PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD
OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.